

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
PINE BLUFF DIVISION**

RICKIE EARN BERNA
ADC #80609

PLAINTIFF

VS.

5:04CV00388 GH/JTR

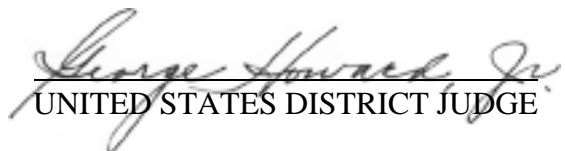
MS. ROBINSON, Maximum Security Unit,
Arkansas Department of Correction, et al.

DEFENDANTS

JUDGMENT

Consistent with the Order that was entered on this day, it is CONSIDERED, ORDERED, and ADJUDGED that this case is DISMISSED, WITH PREJUDICE, for failing to state a claim upon which relief may be granted and Judgment is entered in favor of Defendants on all claims set forth in this action. Dismissal of this action constitutes a “strike,” as defined by 28 U.S.C. § 1915(g). Further, the Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Judgment and the accompanying Order would not be taken in good faith.

Dated this 13th day of October, 2005.


UNITED STATES DISTRICT JUDGE